REMARKS

In the final Office Action mailed April 18, 2007[1], the Examiner objected to the specification; required restriction between claims 1-4, 11-14, and 21, and claims 5-10 and 15-20; indicated that claims 1-4, 11-14, and 21 are constructively elected by original presentation for prosecution on the merits; withdrew claims 5-10 and 15-20 as non-elected; rejected claims 1-4, 11-14, and 21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0182625 to Davidov et al. ("*Davidov*"); and rejected claims 1, 11, and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,051,316 to Charisius et al. ("*Charisius*").

By this amendment, Applicants have amended claims 1, 11, and 21, canceled claims 3 and 13, and added new claims 22-24. Upon entry of this amendment, claims 1, 2, 4, 11, 12, 14, and 21-24 will be pending and under current examination. Based on the amendment and the following remarks, Applicants respectfully traverse the rejections presented in the Office Action.

I.   The Objection to the Specification

The Examiner objected to the specification due to a minor informality on page 4 (Office Action at p. 2). Applicants have amended the specification to correct the informality, and respectfully request the Examiner to withdraw the objection.

---

[1] The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

intermediate level which does the compiling of the MIDlet, not interfaces that are compiled by the intermediate level. Thus, neither the application programming interface 18 nor the interface 20 can correspond to the claimed "compiling the generated first interface."

Applicants note that canceled claim 3 included subject matter such as "compiling the interface." The Examiner cites to a number of portions of *Davidov* in the rejection of claim 3 (Office Action at p. 5). However, none of the cited portions of *Davidov* disclose compiling an interface. For example, the Examiner cites to *Davidov*, ¶¶ 87-89 (Office Action at p. 5). However, as discussed above, the API 18 and interface 20 disclosed in this portion of *Davidov* are interfaces to the intermediate level that compiles the MIDlets, but API 18 and interface 20 are not compiled by the intermediate level themselves. The Examiner also cites to *Davidov*, ¶ 109 (Office Action at p. 5), which discloses "compilation ... of the Java source code, and produces class files," and does not disclose compiling an interface. Finally, the Examiner cites to *Davidov*, ¶ 219 (Office Action at p. 5), which discloses "generation of the following ... application structure; screens; widgets; events; operations; variables; and extensible elements," and does not disclose compiling an interface. Further, *Davidov* not only fails to teach or suggest compiling an interface, *Davidov* also fails to teach or suggest performing usage and semantics checks by compiling an interface. Therefore, *Davidov* fails to teach or suggest the claimed "performing usage and semantic checks by compiling the generated first interface and the generated first class," as recited by independent claim 1.

-14-

II.   The Rejection of Claims 1-4, 11-14, and 21 under 35 U.S.C. § 102(e)

To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e),

each and every element of the claim in issue must be found, either expressly described

or under principles of inherency, in a single prior art reference. Further, " [t]he identical

invention must be shown in as complete detail as is contained in the...claim." See

M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868

F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements

must be arranged as required by the claim." M.P.E.P. § 2131 (8th Ed. 2001), p.

2100-69. Applicants traverse the rejection of claims 1-4, 11-14, and 21 under 35 U.S.C.

§ 102(e) for the following reasons.

Claim 1 recites, for example, a method for validating programs, comprising

"performing usage and semantic checks by compiling the generated first interface and

the generated first class." *Davidov* fails to teach or suggest at least the claimed

"performing usage and semantic checks by compiling the generated first interface and

the generated first class."

Davidov discloses an infrastructure for creating applications using MIDML as a

markup language to define the applications (*Davidov*, abstract). The MIDML code is

parsed, code is generated, and the code is compiled and packed into a Java MIDlet

(*Davidov*, ¶ 88). *Davidov* further discloses an intermediate level 14 for creating the

MIDlet from the MIDML code includes an application programming interface (API) 18,

as well as an interface 20 to an upper application layer 22 (*Davidov*, ¶¶ 88, 89).

However, the API and the interface to the upper application layer are interfaces to the

Accordingly, *Davidov* cannot anticipate independent claim 1. Independent claims 11 and 21, although of different scope, recites elements similar to the elements recited by claim 1, and are thus allowable for at least the reasons set forth above with respect to claim 1. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection of claims 1, 11, and 21 under 35 U.S.C. § 102(e) as being anticipated by *Davidov*.

Claims 2 and 4 depend from claim 1 and claims 12 and 14 depend from claim 11. Since *Davidov* does not support the rejection of claims 1 and 11 under 35 U.S.C. § 102(e), *Davidov* also does not support the rejection of dependent claims 2, 4, 12, and 14 for at least the same reasons set forth above in connection with claim 1. Therefore, Applicants request that the rejection of claims 2, 4, 12, and 14 be withdrawn and the claims allowed.

III. The Rejection of Claims 1, 11, and 21 under 35 U.S.C. § 102(b)

Claim 1 recites, for example, a method for validating programs, comprising "performing usage and semantic checks by compiling the generated first interface and the generated first class." *Charisius* fails to teach or suggest at least the claimed "performing usage and semantic checks by compiling the generated first interface and the generated first class."

Charisius discloses a system for generating code, displaying a graphical representation of the code, and compiling the code (*Charisius*, abstract). *Charisius* further discloses that the system includes a number of interfaces, including a read-write

interface and source code interface (*Charisius*, col. 12, lines 27-29) and an application programming interface (*Charisius*, col. 12, lines 34-36). Like *Davidov*, however, *Charisius* also does not disclose compiling these interfaces. Moreover, the claimed interface is defined by a "definition module," and *Charisius* does not disclose compiling an interface defined by a definition module. Further, *Charisius* not only fails to teach or suggest compiling an interface, *Charisius* fails to teach or suggest performing usage and semantic checks by doing so. Therefore, *Charisius* fails to teach or suggest the claimed "performing usage and semantic checks by compiling the generated first interface and the generated first class," as recited by independent claim 1.

Accordingly, *Charisius* cannot anticipate independent claim 1. Independent claims 11 and 21, although of different scope, recites elements similar to the elements recited by claim 1, and is thus allowable for at least the reasons set forth above with respect to claim 1. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection of claims 1, 11, and 21 under 35 U.S.C. § 102(b) as being anticipated by *Charisius*.

IV. Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 2, 4, 11, 12, 14, and 21-24 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 2, 4, 11, 12, 14, and 21-24 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.
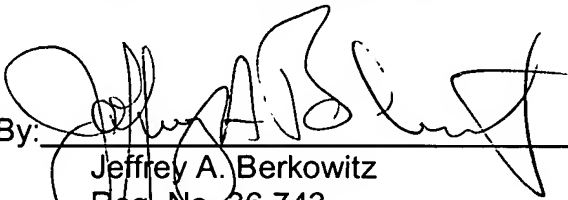
Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: June 20, 2007

By: Jeffrey A. Berkowitz
Reg. No. 36,743